

NOTICE OF ALLOWANCE

1. Applicant's amendment filed 7/8/2011 after-final is acknowledged. Claims 1-5, 7, 11-17 and 19 are pending. Claims 11-17 and 19 are withdrawn from consideration as being drawn to a non-elected invention. All of the arguments have been thoroughly reviewed and considered. Applicant's arguments necessitated withdrawal of the previous Office action. Accordingly, the claims are deemed in condition for allowance. An examiner's amendment and reasons for allowance appears below.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William Schmidt, II on July 25, 2011.

The application has been amended as follows:

(a) The claims 11-17 and 19 were canceled.

Reasons for allowance

3. The following is an examiner's statement of reasons for allowance: Applicant's arguments especially at pages 1-2 were found sufficient to overcome the rejections of the previous office action. Applicant's arguments provided sufficient evidence of

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inoperability of the cited prior art, especially Brennan et al. Therefore, the claims 1-5 and 7 are deemed novel.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CYNTHIA WILDER whose telephone number is (571)272-0791. The examiner can normally be reached on a flexible schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Benzion can be reached on (571) 272-0782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gary Benzion/
Supervisory Patent Examiner, Art Unit 1637